

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DUSTIN BOONE,
CHRISTOPHER MYERS,
RANDY HAYS, and
BAILEY COLLETTA,

Defendants.

Case No.: 4:18CR00975 CDP/JMB

DEFENDANT BAILEY COLLETTA'S
MOTION TO CONTINUE SENTENCING DATE

COMES NOW Defendant, Bailey Colletta, by and through her attorneys of record,
and for her Motion to Continue her Sentencing Date, states the following:

1. On September 6, 2019, Defendant entered a plea of guilty to a Superseding Information [Doc. #110].
2. Sentencing in this matter was originally set by the Court for December 13, 2019, at 2:30 p.m. [Doc. #113].
3. On December 3, 2019, Defendant Colletta, with consent of the Government, requested that her sentencing be continued, to be reset on a date subsequent to the sentencing of Co-defendant Randy Hays and subsequent to the trial or other disposition of the charges pending against Co-defendants Dustin Boone and Christopher Myers [Doc. #132].

4. Thereafter, the Court continued Defendant Colletta's sentencing to Friday, April 10, 2020, at 3:30 p.m., and adjusted the deadline for filing objections to the Presentence Report to March 27, 2020 [Doc. #133].

5. In the interim, the Government has added another Co-Defendant to the case, to-wit: Steven Korte.

6. On December 20, 2019, the Court entered its Order setting the case against Defendants Boone, Myers and Korte for jury trial on September 28, 2020, at 8:30 a.m. [Doc. #155].

7. On March 23, 2020, Defendant Colletta, with the Government's consent, again requested that the Court continue her April 10, 2020, sentencing date until a date after the September 28, 2020, scheduled trial date for Defendants Christopher Myers and Dustin Boone (and Steven Korte), and after the October 23, 2020, sentencing date for Co-Defendant Randy Hays [Doc. #191].

8. On March 24, 2020, the Court entered its Order, *inter alia*, that Defendant Colletta's sentencing date be continued from April 10, 2020, to October 22, 2020, at 3:30 p.m. [Doc. #192].

9. On July 20, 2020, the Court entered its Order continuing the trial date for Defendants Dustin Boone, Christopher Myers and Steven Korte to March 15, 2021, at 8:30 a.m. [Doc. #212].

10. On August 21 2020, Defendant Colletta, with the Government's consent, again requested that the Court continue her October 22, 2020, sentencing date until a date after March 15, 2021, scheduled trial date for Defendants Christopher Myers, Dustin

Boone, and Steven Korte, and after sentencing date for Co-Defendant Randy Hays [Doc. #222].

11. On August 21, 2020, the Court entered its Order that Defendant Colletta's sentencing date be continued from October 22, 2020 to April 8, 2021, at 3:00 p.m. [Doc. #223].

12. The trial of Defendants Christopher Myers, Dustin Boone, and Steven Korte commenced on March 15, 2021, and a verdict was reached on March 29, 2021 resulting, *inter alia*, in a mistrial with respect to Defendants Christopher Myers and Dustin Boone.

13. Defendant Randy Hays requested [Doc. 385] and the Court granted a continuance of his sentencing hearing, which has been continued until June 4, 2021. [Doc. 400]

14. Defendant Colletta now requests that the Court continue her sentencing date from April 8, 2021, until a date no sooner than June 4, 2021.

15. Defendant Colletta represents to the Court that this request is made with the consent of the Government.

16. Defendant Colletta further requests that the Court adjust and schedule new dates for the parties to file any sentencing memoranda and responses thereto, objections to pre-sentence report, and notification date regarding intention for testimony at sentencing, consistent with the foregoing requests and Orders of the Court.

Respectfully submitted,

KILO, FLYNN, BILLINGSLEY,
TRAME & BROWN, P.C.

By: /s/ JOHN A. KILO
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CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of March, 2021, a copy of the foregoing Motion of Defendant Bailey Colletta to Continue Sentencing Date was filed electronically with the Clerk of the Court in the United States District Court, Eastern District of Missouri, Eastern Division and to be served by the operation of the Court's electronic filing system upon all attorneys of record.

/s/JOHN A. KILO